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COPY

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

In re:

AAIPHARMA INC., *et al.*,

Debtor.

Kristin I. Schendl,

Plaintiff-Appellant,

v.

aaiPharma Inc.,

Defendant-Appellee

Chapter 11

Case Nos. 05-11341 through 05-11345  
and 05-11347 through 05-11350 (PJW)

Jointly Administered

Civil Action No. 06-cv-00586 (\*\*\*)

STIPULATION AND ORDER OF DISMISSAL OF APPEAL

IT IS HEREBY STIPULATED AND AGREED by and between the above-captioned debtors in the above-captioned cases and Kristin I. Schendl, having a legal address of P.O. Box 53277, Atlanta, GA 30355, that the appeal referenced in the above-captioned action is hereby dismissed pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, with prejudice and without costs as against the parties to this stipulation, and it is further

STIPULATED AND AGREED that, this stipulation may be executed in any number of counterparts, each of which shall be deemed an original instrument, but all of which together shall constitute one and the same instrument. A signature page delivered by facsimile or

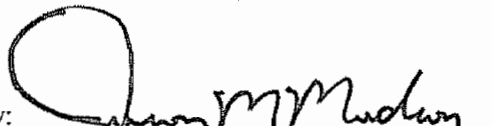
electronic mail shall have the same effect as an original signature page.

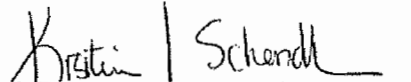
Dated: ~~January~~ <sup>February</sup> 2, 2007  
Wilmington, Delaware

Dated: January 21, 2007 SATURDAY  
Atlanta, Georgia 5:02 PM EST

FOR THE DEBTORS:

FOR SCHENDL:

By:   
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By:   
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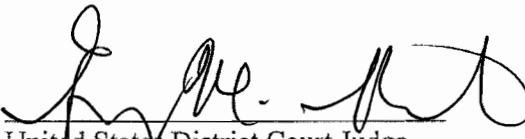
APPELLEE, PRO SE

- and -

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ATTORNEYS FOR THE DEBTORS,  
APPELLANT

SO ORDERED this 6<sup>th</sup> day of Feb., 2007

  
United States District Court Judge